

Appln. No. 09/847,843  
Amendment dated February 15, 2005  
Reply to Office Action of November 16, 2004

#### REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The November 16, 2004 Office Action and the Examiner's comments have been carefully considered. In response, claims are cancelled, the specification and claims are amended, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

#### SPECIFICATION

The specification is amended to correct an inadvertent typographical error identified by the Applicant during study of the present application. The amendment of the specification does not introduce new matter.

#### CLAIM OBJECTIONS

In the Office Action claim 3 is objected to because the Examiner contends that claim 3 includes reference characters which are not enclosed within parentheses. In response, claim 3 is cancelled, thereby rendering the rejection of claim 3 moot.

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#### PRIOR ART REJECTIONS

In the Office Action claim 1 is rejected under 35 USC 103 as being unpatentable over USP 6,118,972 (Yamazaki) in view of USP 5,961,226 (Nishida). Claims 2 and 3 are rejected under 35 USC 103 as being unpatentable over Yamazaki in view of Nishida, and further in view of USP 5,973,797 (Tanaka).

In response, claims 2 and 3 are cancelled and limitations from claims 2 and 3 are incorporated into claim 1.

The present claimed invention as defined by amended claim 1 is directed to a document reading device including a reading unit for reading an image of a document, a document size detector for detecting a size of the document, and a controller for controlling the reading unit to read the image of the document in a read size corresponding to the document size confirmed from a detection result of the document size detector. The controller includes a user interface for inputting and outputting various information, and read size specifying means for requesting designation of a document size via the user interface when the document size is not confirmable from the detection result of the document size detector and for specifying the read size corresponding to the document size which is designated via the user interface according to the request. The reading unit includes a document table for supporting a single document placed

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thereon and a cover capable of being opened and closed. The read size specifying means is constructed such that the document size designated via the user interface is confirmed when the cover is closed, and the document size is maintained until the cover is opened. The document reading device also includes a document feeder for feeding a document other than the document on the document table. The reading unit is capable of reading an image of the other document fed by the document feeder while maintaining the document on the document table. The read size specifying means includes a memory and is configured such that the read size for the document fed by the document feeder is independently specified from the read size for the document on the document table by maintaining the document size designated for the document on the document table in the memory until the cover is opened.

The present claimed invention as defined by amended claim 1 is directed to preventing an image of the document from being read with a wrong read size. The read size specifying means requests designation of a document size via the user interface when the document size is not confirmable from a detection result of the document size detector and specifies the read size corresponding to the document size which is designated via the user interface according to the request. Further, the document

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size designated via the user interface is confirmed when the cover is closed, and the document size is maintained until the cover is opened. The document feeder is able to feed a document other than the document which is on the document table. The reading unit is capable of reading an image of the other document fed by the document feeder while maintaining the document on the document table. Particularly, the read size specifying means includes a memory and is configured such that the read size for the document fed by the document feeder is independently specified from the read size for the document on the document table by maintaining the document size designated for the document on the document table in the memory until the cover is opened. Therefore, if the cover is not opened, it is not necessary for the document size to be designated again to read an image of the document on the document table. Accordingly, the present claimed invention is easier to use.

Yamakazke et al. disclose an image forming apparatus which can detect the size of a document placed on a table or fed by a document feeder.

Nishida teaches that, when a document size is not confirmable from a detection result of a document size detector, the document size is designated by a user to specify a read size.

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Tanaka et al. teach a detector for detecting the size of a document on a table when a cover is closed (see col. 18, lines 58-60 as pointed out by the Examiner in the Office Action). However, the document size as taught in Tanaka et al. is not changed to read another document while the document on the table is maintained with the cover being closed, as specifically recited in claim 1, nor would it have been obvious to make such a modification to the combination of prior art references based on the teachings of the references. Therefore, even if the detector of Tanaka et al. is also applied to a document fed by the document feeder of Yamazake et al., a person of ordinary skill in the art at the time the invention as made would not have arrived at the present claimed invention as defined by claim 1.

That is, the present claimed invention as defined by claim 1 is patentable over the cited references when taken either alone or in combination because the references do not disclose, teach or suggest a document reading device including, inter alia:

a document feeder for feeding a document other than the document on the document table;

a reading unit capable of reading an image of the other document fed by the document feeder while maintaining the document on the document table; and

a read size specifying means including a memory and which is configured such that the read size for the document fed by the document feeder is independently specified from the read size for the document on the document table by maintaining

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the document size designated for the document on the document table in the memory until the cover is opened (see claim 1, lines 24-35).

In view of the foregoing, claim 1 is patentable over the cited references under 35 USC 102 as well as 35 USC 103.

\* \* \* \* \*

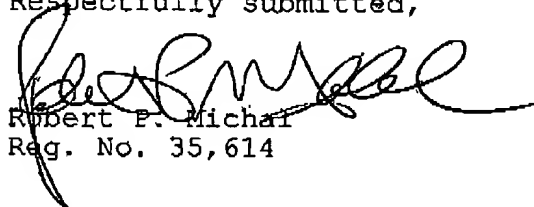
Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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